

CLOSED,TYPE I-FOIA

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:12-cv-00156-CKK

EEENTERPRISES GLOBAL, INC. v. DEFENSE
 COMMISSARY AGENCY

Assigned to: Judge Colleen Kollar-Kotelly

Cause: 05:552 Freedom of Information Act

Date Filed: 01/31/2012

Date Terminated: 08/03/2012

Jury Demand: None

Nature of Suit: 895 Freedom of
 Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

EEENTERPRISES GLOBAL, INC.

represented by **Christopher Michael Loveland**
 SHEPPARD, MULLIN, RICHTER
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V.

Defendant

DEFENSE COMMISSARY AGENCY

represented by **Mitchell P. Zeff**
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Date Filed	#	Docket Text
01/31/2012	<u>1</u>	COMPLAINT against DEFENSE COMMISSARY AGENCY (Filing fee \$ 350, receipt number 4616045650) filed by EEENTERPRISES GLOBAL, INC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Civil Cover Sheet)(rdj) (Entered: 02/01/2012)
01/31/2012		SUMMONS (3) Issued as to DEFENSE COMMISSARY AGENCY, U.S. Attorney and U.S. Attorney General (rdj) (Entered: 02/01/2012)
01/31/2012	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by EEENTERPRISES GLOBAL, INC. identifying Corporate Parent NONE for EEENTERPRISES GLOBAL, INC. (rdj) (Entered: 02/01/2012)
02/02/2012	<u>3</u>	ORDER Establishing Procedures for Filing for Cases Assigned to Judge Colleen Kollar-Kotelly, signed on February 2, 2012. (SM) (Entered: 02/02/2012)
02/22/2012	<u>4</u>	NOTICE of Appearance by Mitchell P. Zeff on behalf of DEFENSE COMMISSARY AGENCY (Zeff, Mitchell) (Entered: 02/22/2012)
02/23/2012	<u>5</u>	Consent MOTION for Extension of Time to <i>Answer or Otherwise Respond to Plaintiff's Complaint</i> by DEFENSE COMMISSARY AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 02/23/2012)
02/23/2012	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on

		2/1/2012. Answer due for ALL FEDERAL DEFENDANTS by 3/2/2012. (Loveland, Christopher) (Entered: 02/23/2012)
02/23/2012	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 02/01/2012. (Loveland, Christopher) (Entered: 02/23/2012)
02/23/2012	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEFENSE COMMISSARY AGENCY served on 2/7/2012 (Loveland, Christopher) (Entered: 02/23/2012)
02/23/2012		MINUTE ORDER granting <u>5</u> Defendant's Consent Motion for Extension of Time to Answer or Otherwise Respond to Plaintiff's Complaint. Accordingly, Defendant shall have until and including April 2, 2012, to Answer or Otherwise Respond to Plaintiff's Complaint. Set/Reset Deadline: Answer due by 4/2/2012. Signed by Judge Colleen Kollar-Kotelly on February 23, 2012. (SM) (Entered: 02/23/2012)
03/29/2012	<u>9</u>	Consent MOTION for Extension of Time to <i>Answer or Otherwise Respond to Plaintiff's Complaint</i> by DEFENSE COMMISSARY AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 03/29/2012)
03/29/2012		MINUTE ORDER granting <u>9</u> Defendant's Consent Motion for Extension of Time to Answer or Otherwise Respond to Plaintiff's Complaint. Accordingly, Defendant shall have until and including May 18, 2012, to answer or otherwise respond to the compliant. Set/Reset Deadline: Answer due by 5/18/2012. Signed by Judge Colleen Kollar-Kotelly on March 29, 2012. (SM) (Entered: 03/29/2012)
05/16/2012	<u>10</u>	MOTION for Extension of Time to <i>Respond to Complaint and Motion for Order to Set Briefing Schedule</i> by DEFENSE COMMISSARY AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 05/16/2012)
05/16/2012	<u>11</u>	MOTION for Order to <i>Set Briefing Schedule and For Extension of Time to Respond to Complaint</i> by DEFENSE COMMISSARY AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 05/16/2012)
05/17/2012	<u>12</u>	ENTERED IN ERROR.....Memorandum in opposition to re <u>11</u> MOTION for Order to <i>Set Briefing Schedule and For Extension of Time to Respond to Complaint</i> , <u>10</u> MOTION for Extension of Time to <i>Respond to Complaint and Motion for Order to Set Briefing Schedule</i> filed by EEENTERPRISES GLOBAL, INC.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Text of Proposed Order)(Loveland, Christopher) Modified on 5/17/2012 (rdj). (Entered: 05/17/2012)
05/17/2012		NOTICE OF CORRECTED DOCKET ENTRY: re <u>12</u> Memorandum in Opposition, was entered in error at the request of counsel and counsel will refile said pleading. (rdj) (Entered: 05/17/2012)
05/17/2012	<u>13</u>	Memorandum in opposition to re <u>11</u> MOTION for Order to <i>Set Briefing Schedule and For Extension of Time to Respond to Complaint</i> , <u>10</u> MOTION for Extension of Time to <i>Respond to Complaint and Motion for Order to Set Briefing Schedule</i> filed by EEENTERPRISES GLOBAL, INC.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Text of Proposed Order)(Loveland, Christopher) (Entered: 05/17/2012)
05/18/2012		MINUTE ORDER (paperless). Upon consideration of Defendant's <u>10</u> <u>11</u> Motion for Extension of Time to Respond to Complaint and Motion for Order to Set Briefing Schedule, and Plaintiff's <u>13</u> Opposition to Defendant's Motion for Extension of Time to Respond to Complaint and for Order to Set Briefing Schedule, the parties shall adhere to the following schedule: by no later than JUNE 1, 2012, Defendant shall (a) serve a final and complete Vaughn index upon Plaintiff, and (b) file an Answer to the <u>1</u> Complaint; thereafter, the parties shall promptly meet and confer in an attempt to narrow the areas of dispute, if any, and by no later than JUNE 11, 2012, shall file a Joint Status Report (a) briefly describing any remaining disputes and (b) proposing a schedule for further proceedings. Signed by Judge Colleen Kollar-Kotelly on May 18, 2012. (lcckk3) (Entered: 05/18/2012)

05/24/2012	<u>14</u>	Consent MOTION for Extension of Time to <i>Serve a Final and Complete Vaughn Index Upon Plaintiff</i> by DEFENSE COMMISSARY AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 05/24/2012)
05/24/2012	<u>15</u>	ANSWER to <u>1</u> Complaint, by DEFENSE COMMISSARY AGENCY.(Zeff, Mitchell) (Entered: 05/24/2012)
05/25/2012		MINUTE ORDER granting <u>14</u> Defendant's Consent Motion for Extension of Time to Serve a Final and Complete Vaughn Index Upon Plaintiff. Accordingly, Defendant shall have until and including June 6, 2012, to serve a final and complete Vaughn Index upon Plaintiff. Signed by Judge Colleen Kollar-Kotelly on May 25, 2012.(SM) (Entered: 05/25/2012)
06/11/2012	<u>16</u>	STATUS REPORT (<i>Joint</i>) by DEFENSE COMMISSARY AGENCY, EEENTERPRISES GLOBAL, INC.. (Loveland, Christopher) (Entered: 06/11/2012)
06/12/2012		MINUTE ORDER (paperless). The Court is in receipt of the parties' <u>16</u> Joint Status Report dated June 11, 2012, wherein they jointly propose a schedule for briefing motions for summary judgment. By a Scheduling and Procedures Order entered this same date, the Court shall adopt a modified version of the parties' proposed schedule. The Court finds that a staggered briefing schedule, as opposed to both parties filing their motions simultaneously, is preferable, as it will allow the parties to focus their attention on the central issues in dispute and ensure that their arguments are in direct conversation. Signed by Judge Colleen Kollar-Kotelly on June 12, 2012. (lcckk3) (Entered: 06/12/2012)
06/12/2012	<u>17</u>	SCHEDULING AND PROCEDURES ORDER. In order to administer this civil action in a manner fair to the litigants and consistent with the parties' interest in completing this litigation in the shortest possible time and at the least possible cost, the parties are directed to comply with each of the directives set forth in this Order. In addition, the parties shall adhere to the following schedule: Defendant shall file its motion for summary judgment by no later than June 29, 2012; Plaintiff shall file its opposition to Defendant's motion for summary judgment and its cross-motion for summary judgment by no later than July 16, 2012; Defendant shall file its reply in support of its motion for summary judgment and its opposition to Defendant's cross-motion for summary judgment by no later than August 2, 2012; and Plaintiff shall file its reply in support of its cross-motion for summary judgment by no later than August 13, 2012. Signed by Judge Colleen Kollar-Kotelly on June 12, 2012. (lcckk3) (Entered: 06/12/2012)
06/29/2012	<u>18</u>	MOTION for Summary Judgment by DEFENSE COMMISSARY AGENCY (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 06/29/2012)
07/16/2012	<u>19</u>	Memorandum in opposition to re <u>18</u> MOTION for Summary Judgment <i>and Cross-Motion For Summary Judgment</i> filed by EEENTERPRISES GLOBAL, INC.. (Loveland, Christopher) (Entered: 07/16/2012)
07/16/2012	<u>20</u>	RESPONSE re <u>18</u> MOTION for Summary Judgment <i>to Defendant's Statement of Material Facts In Support of Motion for Summary Judgment</i> filed by EEENTERPRISES GLOBAL, INC.. (Loveland, Christopher) (Entered: 07/16/2012)
07/16/2012	21	Cross MOTION for Summary Judgment by EEENTERPRISES GLOBAL, INC. (See Docket Entry <u>19</u> to view document. Counsel is reminded to file the motion as a separate docket entry in future). (znmw,) (Entered: 07/17/2012)
08/02/2012	<u>22</u>	NOTICE of Settlement <i>Agreement in Principle (Joint)</i> by DEFENSE COMMISSARY AGENCY (Zeff, Mitchell) (Entered: 08/02/2012)
08/03/2012	<u>23</u>	ORDER – Pursuant to <u>22</u> Joint Notice of Settlement Agreement in Principle, signed by the parties on August 2, 2012, this case is hereby dismissed. The dismissal shall be without prejudice for a period of 30 days, until September 4, 2012, to allow time for the parties to finalize the Settlement Agreement and obtain all necessary approvals. Signed by Judge Colleen Kollar-Kotelly on August 3, 2012. (SM) (Entered: 08/03/2012)